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SPEECH

OF THE

HON. JOHN L. TAYLOR, OF OHIO,

ON THE

NEBRASKA AND KANSAS TERRITORIAL BILL.

DELIVERED

IN THE HOUSE OF REPRESENTATIVES, APRIL 26, 1854.

The House being in Committee of the Whole on the state of the Union—

Mr. TAYLOR, of Ohio, said: Mr. Chairman, if there has ever been a time, during my short political life, when I appeared before a committee of this House with some reluctance, and with much hesitancy, it is upon this occasion; because I shall feel it to be my duty, in the course of the remarks which I may make, to recur to some other subjects than that which has principally engrossed the attention of Congress during the last four or five months. I shall, however, be constrained, from the fact that I occupy a very humble place upon the Committee on Territories—being one of the two Whigs among the nine members of that committee—to refer for a few moments to that exciting question. In doing this, I wish, at the outset, to disclaim any personal ill-feeling towards any member of this committee, and to declare that I have no other than kind and fraternal feelings towards every section of this Union. Though I stand here as a representative of the State of Ohio, I feel that I am bound to discharge my duty as a Representative of the whole Union; and I would resign my seat if I could lose sight of my national obligations.

I regret, Mr. Chairman, that I am constrained by the duty which I owe to my constituents, as well as that which I owe to myself, to speak at all upon this subject. I have sat here for nearly five months listening to the speeches of a distracted Congress—distracted by a *sectional question*, by whom introduced seems yet to be disputed. We heard it asserted, as early as the 26th of January last, by gentlemen on the other side of the House who are supporters of the Administration, not that they knew it was introduced by the Administration, but that they believed this territorial organic bill to be an Administration measure. And here, instead of progressing with the subjects of legislation on our Calendar, which the people demand at our hands, and endeavoring to discharge our duty first to the people and then to the administrators of the Government, we are tied down, day after day, by a sectional question, which, as a Whig member of this Congress, I disclaim having any part in introducing here; nor do I believe that the party to which I belong first instigated or encouraged its introduction.

Sir, this theme for agitation was not introduced into Congress by the Whig party of the United States. I have too much respect for that party—to which I belong—to believe that they would ever have instigated the introduction of a question involving a sectional issue, which, in my humble judgment, far transcends any question which has occupied the attention of the Congress of the United States since 1820. The great question which then agitated this country for three years, and to adjust which, and to save the Union, brought into requisition all the talents, experience, and wisdom, all the conciliation and kindness of feeling, all the desire for a sacrifice of sectional prejudice of the great men who lived at that day, is now revived; and by whom is it revived? I am not prepared to stand here and utter denunciations against the Senator from Illinois, [Mr. DOUGLAS,] the chairman of the Committee on Territories, who introduced this bill in the Senate, and for which he has been hung in effigy, and denounced all over the country. I do not impute to him the sole responsibility; but I think that he should share it with other eminent men, far beyond him in political experince, and of greater wisdom, who advocated this measure in the Senate—who have advocated it with a zeal and ability far superior to that manifested by the Senator from Illinois himself. Nor do I upbraid him for his aspirations to the Presidency. Nor do I make the charge that the President of the United States and his Cabinet brought this measure officially before Congress. They have not officially done so; for we have had no official communications upon that subject.

I shall endeavor presently to show some reasons for the belief I entertain, that this bill for the organization of Nebraska and Kansas was an Administration measure, introduced here for the purpose of reviving a crumbling, failing, and distracted Administration; nay, if possible, to infuse new life and vigor into it, so as to command, in some degree, the confidence of its own party and the country. The gentlemen who introduced these bills into the House of Representatives are to take their due share only of any odium which may attach to them. If there be one consideration which would induce the House of Representatives of the United States to stand up, as it were, as one man, against the measure, it should be the idea that the Administration to be sustained, must carry this measure in this House, either by persuasion, or by the denunciations and threats of their regular organs. As a representative of a free people, wishing to preserve the powers, the privileges, and immunities of this body, and, like the great man from Missouri, [Mr. BENTON,] who delighted us yesterday with his examination of the history of this great question, and denounced the impropriety of bringing it forward now to disturb the great compromise of 1820, I stand up for the powers, privileges, and immunities of this House, "as the master branch of the American Government." The business is now reversed. When the fathers

of the Republic built up this Government, and framed its Constitution, they designed that the judicial, legislative, and executive powers of the Government should be as independent of each other as possible.

From a small nation of three or four millions, we have grown to be twenty-five millions, and have advanced in prosperity, wealth, power, and greatness, far beyond the expectations of those who framed the Government. We have increased in territorial extent, in population and wealth, until our glorious country has become a great Republic, which commands not only the admiration of our own people, but of the whole world.

The powers of these respective departments of the Government have not kept equal pace with each other during our progress as a nation. Thank Heaven, the judicial branch of the country yet stands in all its purity, majesty, and power, and construes our legislation with justice and equity.

The legislative power of the country has been, in a great degree, in my humble judgment, overshadowed by the Executive authority of the nation, no matter in what hands that authority has fallen. For myself, I am independent of all Presidents, never having received special favors from any of them, never having sought any, and never expecting any. But I do say, that as Representatives of an intelligent and patriotic people, representing here a part of the sovereign power of this country, I do say, that we, the legislative power, ought to scorn and look down with contempt upon any effort made either through a political organ, or an official communication, to drive the Representatives of the people from the due course of legislation, or to divert them from the proper subjects of legislation to sectional questions, either now or in all time to come.

This question, Mr. Chairman, has paralyzed us in the legislation of the country. This is the 26th day of April, and yet we have not got through the first page of the Calendar. It is with difficulty that we effect the passage of any appropriation bill; and the deficiency bill has not yet finally passed the House or Senate. On the 26th of January last, when the gentleman from Virginia [Mr. SMITH] was upon the floor, he said in his place, that he believed this very measure, which excites the whole nation, was an Administration measure; or, in other words, that he *believed* that the Administration was a unit in respect to it. I speak of it as I understood him. I have looked at his speech this morning; and I think that he, on that occasion, asserted his belief that the Administration was a unit in favor of this measure. This was as early as the 26th of January; and here we stand to-day, with a mass of business staring us in the face——

Mr. SMITH, of Virginia. Will the gentleman from Ohio permit me to make an explanation here?

Mr. TAYLOR. With great pleasure.

Mr. SMITH. What I stated was, that I believed that the Administration was a unit.

Mr. TAYLOR. So I have represented you as having said.

Mr. SMITH. But I did not say that any improper influences were attempted to be used by the Administration in favor of the measure.

Mr. TAYLOR. Nor did I attribute any such statement to you. What I assert here is simply this: that that gentleman, high in the confidence of his party, distinguished for his devotion to the Administration, and for his admiration of our present President, said here, on the 26th of January last, that he believed this to be an Administration measure, and that all good Democrats should support that measure, and, in doing so, support the Administration.

And what do we also find in the Union newspaper, of this city, on the 5th of February? I do not know whether that paper is the organ of the Administration, or whether the Administration has any organ. But the Union is generally considered to be the official organ of the present Administration; and, at all events, its editor, at that time, was the public printer to this House, and was sustained by a large Democratic majority here, as such printer. I do not mean to refer to anything improper; and should I happen to do so, I would be most happy, on all occasions, to retract whatever I might not have been justified in saying. I find in the Union of the date I have mentioned, an editorial article to this effect, or rather, I should say, a quotation from the Detroit Free Press, in which I find the words which I will quote. It is under the head of "Renewal of Slavery Agitation:"

"*The territorial bill reported by* Mr. DOUGLAS *is an Administration measure. Every true Democrat and every true patriot in Congress will vote for it.* It sets at rest forever the vexatious slavery difficulty. It defines the powers of the General Government and of the people of the Territories, squaring them by the plainest principles of the Constitution. It proclaims that the doctrines advocated by LEWIS CASS in 1848 are right. It erects a platform upon which the Democratic party of every section can stand, *and will stand.* It is a test that will determine who are patriots and who are sectionalists."

That was introduced by an elaborate editorial, in which I find this sentence:

"But we do not care to repeat the argument that the principles of the compromise of 1850 superseded those of the Missouri compromise. If the speech of Judge DOUGLAS does not carry conviction on this point wherever it is read and studied, we may well distrust our ability to make the argument more conclusive. We are perfectly willing to meet the question on its merits as an original proposition, and to maintain, upon principle, that if the compromise of 1850 did not repeal that of 1820, it ought to have done so, and that there can be no better time than the present to finish the work."

Now, Mr. Chairman, what are we Whigs to believe from this—we who are in a minority upon this floor, but not in a very small minority in the country, sir? Are we not to take the statement made in the official paper of the Administration—for such it is regarded by members here, and by men everywhere, and by the declaration of the friends of the Administration upon this floor—that it is an Administration measure? The testimony would seem to be conclusive; and yet I do not undertake to say that the President has introduced this measure in our halls of legislation; but from these statements I believe it is an Administration measure. Not exclusively so, for eminent gentlemen of both parties, in this and the other branch of Congress, desire not to be behind their political friends in advocating what they consider to be great fundamental rights—"non-intervention," "squatter sovereignty," the right of twenty, fifty, or a few hundred people in a new Territory of the United States to govern themselves. Hence we find that they are ambitious to vie with each other in making splendid orations in upholding these principles.

Nor do I complain, as some of my friends, and as others do, of gentlemen for having aspirations for the Presidency, and for making this a stepping-stone to that end. Sir, "it is an aid to genius

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to have great objects in view." It is the right of every man in this country, every citizen of the United States, who has the constitutional qualifications, to aspire to that high office, although I know the people very naturally look to the higher branch of the National Legislature, the Senate of the United States, for a candidate for the Presidency. I heard it remarked a short time since—facetiously remarked—that there were, in that body, not less than forty of them; yet I do not believe that all the wise men of the nation are confined to the Senate of the United States. I see many men before me in this Hall who would make as good Presidents as we have had for the last twenty years, and who would uphold the Constitution of the United States with quite as much ability, and with as much success for the happiness of the people of the country, as any gentleman in the Senate.

Nor would I confine aspirations to the Presidency to gentlemen in this or the other branch of the Congress of the United States. There are very many men in private life—eminently qualified—who would, if elected to that high office, fulfill its duties with credit to themselves, and with advantage to the best interests of this country. I believe that, for the future, it would be the wiser course for both parties of the country to select some retired, unambitious, intelligent patriot and experienced man as their candidate, respectively, to take the chief Executive chair, and thus put an end to this canvassing for the Presidency by members of Congress.

I have been led into these preliminary and desultory remarks because I know that no matter how I may speak upon this question, I shall be set down as one of those northern agitators who go against the Nebraska bill, and as anti-slavery in my opinions. But my past history in the Congress of the United States might be referred to by me—yet others may judge for themselves—to show that my action here, as a member of Congress, has been as national, as conservative, and indicating as patriotic a disposition to do justice to the South and to the North, as that of any man in public life.

And, sir, I come back now to say a few words upon what I consider the importance of this question; an importance which, in my humble judgment, transcends that of all the compromises which have been adopted since the settlement of the compromises of the Constitution itself. The compromises of the Constitution were the fruit of the Revolution, and were adopted by the men who fought in the Revolution. They were compromises upon the subjects of taxation, representation, and slavery; and, as was well remarked by the honorable gentleman from Missouri [Mr. Benton] yesterday, the ordinance of 1787 was adopted about the same time, by many of the same men, in the same spirit, upon the same great questions. The compromise of 1820, called the Missouri compromise, which it is now sought to break down, was also one of the same character, for its nationality, for its great importance, and for its having been settled in the same spirit, by the men, the eminent men of the nation, who were in public life at that day.

The compromises of 1850 were also of the same character, growing out of questions connected with new territory which we had acquired from Mexico by war and by purchase. They were settled by the most eminent men of the country—and, I may add, happily settled, in a manner which met the approval of the two great parties of the country as a finality, as a final settlement of the slavery agitation.

It was then remarked by Mr. Webster that these compromises comprehended every inch of territory not disposed of by previous legislation. And now, Mr. Chairman, what is it proposed to do on this occasion? Not to make another compromise; not to settle any great vexed question forced upon us by any great national emergency; nothing of this sort; but we have a proposition to *break down a great national compromise*.

Sir, I call upon my southern brethren—and I rejoice to speak of them as such—to adhere to this compromise, and not allow themselves to yield to the seductions of power, in an attempt to break down settled principles of national legislation, which, for more than thirty years, have given peace and quiet to the country.

Mr. Chairman, the proposition now brought forward by men not confined to either political party is to break down a great compromise made by such men as Clay, Lowndes, Pinkney, of Maryland, Pinckney, of South Carolina, and others of the great and eminent men of the nation. It is proposed to break down this compromise which has existed for thirty-odd years, and which has given peace and harmony to the country, and the prosperity consequent thereupon. But, sir, suppose this measure passes; will it stop agitation? I speak as one of the conservative members of this body, disposed at all times to do justice to all sections of the Union, and, as such, I say that, in my humble judgment, if you repeal this Missouri compromise, it will be but setting an example—a precedent, by which all the other compromises may be repealed. You will place it in the power of future Congresses to accomplish that end—depending solely upon their patriotism and good sense to repeal them or not.

Mr. Chairman, for myself I wish to stand by the compromises of 1850. They did not supersede or repeal that of 1820. I voted for them, or at least for the greatest portion of them. My own constituency—patriotic and intelligent as any in the country—desire to stand by those compromises; and the great political party of which I am a member, in the North as well as the South, in my humble judgment, desire to stand by them. The great body of the men in the North of both parties, in my opinion, stand pledged to abide by and maintain the compromises of 1850, as well as that of 1820. But repeal that of 1820, and you will absolve them from all pledges in reference to others. Do this, and you have no right to expect adherence from them to any others.

Mr. Chairman, I regret, at this late hour of the day, to be compelled to trespass on the attention of this committee; but they will bear in mind that I have, during the present session of Congress, occupied but little of their time. I am constrained, by the duty which I owe my constituents and myself, to define my opinions and position on this great question, now engaging universal attention. I regret to be compelled to do so, because I find on the Calendar a list of bills, to which I wish to refer in the course of my remarks, in order to show the country what we have before us, and why we are prevented attending to the legitimate legislation of the country.

The bill before us—and I believe that the Senate and House bills are pretty much the same—

proposes to organize two Territories, Nebraska and Kansas, in the territory which has heretofore been called Nebraska, all that country bounded on the east by Iowa and Missouri, on the south by 36° 30', on the west by the Rocky Mountains, or by Washington, Oregon, and Utah, and on the north by the British line, a territory twelve times as large as Ohio. The boundaries of the territories are defined, and the provisions of the bill are such as are usually introduced into territorial bills, with the exception of that in relation to the repeal of the Missouri compromise and some reservations in regard to Indian rights.

I have four principal objections to the bill on the Calendar now in the Committee of the Whole on the state of the Union. *First, I do not think it necessary at the present time that any such bill should pass.* Why? Because, as was stated by the gentleman from Missouri, [Mr. BENTON,] we have no petitions from the North; we have none from the South, for the erection of these Territories with the proposition to repeal the Missouri compromise. We had, in fact, when this bill was introduced, no petition from any people living in that country to form a government there. The best part of it was Indian country, occupied by no whites, except those permitted to go there as Indian agents, traders, &c., as authorized by law. In fact, I think that the gentlemen of the committee of which I am a member will bear me out when I say, that, when we came first to consider this bill, there was no petition, nothing but the bill introduced by my friend from Missouri, [Mr. MILLER,] referred to us for consideration. Some time after we had that bill under consideration there was a petition sent to us from two individuals—two Mr. Johnsons. Whether they wished to be Governors of Nebraska and Kansas I cannot say. That bill of my friend from Missouri [Mr. MILLER] was the one which passed the last Congress. It contained no reference whatever to the Missouri compromise. There was in it no proposition of repeal. I said at the time, if I could consistently with my duty, I should vote to pass it through this House again. I voted for the bill at the last session, rather from representations of the gentleman from near that country, than any opportunity I had to examine its provisions. But I voted with gentlemen from the North and South, some of them now here. Many of them voted for the bill as introduced by Mr. HALL, of Missouri, and reported by the chairman of the Committee on Territories, [Mr. RICHARDSON.] No gentleman objected then to the want of a proposition in that bill to repeal the Missouri compromise; and it was asserted here at a late period of the session that the rights of the Indians were sufficiently protected, and I voted for it with that understanding. The bill was to organize one Territory under the name of Nebraska. I confess I had no time to read the provisions of that bill, or to examine the necessity of action upon the subject at that time. Like many other bills which are pressed upon Congress, we have to vote on them according to what light we can get, and trust to our constituencies to approve our action afterwards. That is my first objection.

My second objection is, that I am not satisfied with the proposed boundaries. I understand that it is proposed to make the southern boundary at the 37th degree of north latitude, and it was originally proposed to take in a part of the Territory of Utah. That may be abandoned, but I believe the southern boundary is at the 37th degree. Now, if we legislate upon the subject at all at this time, I would include in the proposed organization from 36° 30' to the British line. I am opposed to leaving a little strip of territory for future disputes.

My third objection is, that to pass a bill *now* to organize a Territory including the twenty-three Indian tribes on the western frontier, would be in violation of some of the treaties with those Indians. The bill of last session contained a reservation of all the rights and property of the Indian tribes. Until I recently examined deliberately the various treaties heretofore made by the United States with the twenty-three Indian tribes on the western border of Missouri and Iowa, I was not aware of the fact, that we had stipulated by treaty—the highest law of the land—*that many of these tribes should never be included within the limits of any State or Territory without their consent.* So far as I can learn from the report of the Commissioner of Indian Affairs, that consent has not been given; and much as I should be disposed to organize a Territory there, I shall be constrained to vote against any bill organizing such a Territory until the consent of those Indian tribes has been obtained, because I believe that by so doing we should violate our treaties with the Indians.

Sir, we should observe our treaties with the Indian tribes with as much care and fidelity as we observe those with foreign nations. We treat them as foreign nations, and our treaties should be held sacred. I may overrate the importance of this subject. I state these only as preliminary objections, and not as the principal one. I shall come back to the principle of the Missouri compromise, which, after all, is the great stumbling-block in the way of this bill, and of all other legislation. It seems that there are four hundred thousand Indians within the limits of the territory of the United States. Many tribes reside on the borders of Missouri and Iowa. The Commissioner of Indian Affairs, after having visited this territory last fall, endeavoring to carry out the resolution of the last Congress, makes the statement that the Indians were not willing to treat with us; that they had no confidence in the white men's laws; but that he believes civil government would be for their benefit; and, to use his own words, that "treaties might be made, if proposed in a proper way, and made in April or May next, and submitted to the Senate in time for Congress to establish civil governments next session." The Commissioner of Indian Affairs says that he could not make treaties with all the tribes of Indians west of and adjoining Missouri and Iowa. And the fact is well known to Congress and the country, that some of the chiefs of those tribes are now in Washington, holding a conference with the Commissioner of Indian Affairs.

In the language of Senator BELL, in an able speech made in the other branch of the National Legislature, it does seem to me that the policy of this country is the policy of extermination towards the Indian race. You move them from the States. You got, as the distinguished gentleman from Missouri [Mr. BENTON] said yesterday, northern men to aid you in appropriating money to change their location—to send them west of the Mississippi. You gave them all permanent homes, and stipulated with some of them that they should never be included within the limits of a State or Territory, without their consent. And now you are found here to-day, discussing whether you will

legislate them out of their possessions, before they modify those treaties. Sir, I, for one, will not consent to it. I will do justice to these Indian tribes, as far as I can. If it is necessary to establish a civil government over that portion of our territory, confine it to the country which is not occupied by the Indians until you obtain their consent. If it is necessary for the purpose of the Pacific railroad—the proposed great highway of the nation—that we should have a portion of the lands belonging to these tribes, let us obtain those lands by fair and honest treaties.

Does not our past history admonish us that the time may come when we might be engaged in a foreign war, or become embroiled in some civil insurrection at home, or some domestic trouble, when some great Indian chieftain, like Tecumseh, who with great power and eloquence would rouse up the indignation of the whole savage tribes against our western borders, and which would give us more difficulty to settle than twenty Florida wars. Tecumsehs are not unfrequently found among these savage tribes—men of power and eloquence, capable of successfully resisting wrong and injustice, fearless and brave, who would unite all the tribes on our western border, and who would rather sacrifice every man in their nation than submit to be exterminated by the white race. With such people as these, we do not wish to act unjustly. If necessary, we should endeavor to modify our treaties with them, and then pass a bill to organize the territory which they inhabit, and which surrounds them; but we should first obtain their lands from them fairly and honestly. This is my *third* objection to the bill for the organization of this Territory.

I recur again to the fourth—I mean the proposition to repeal the Missouri compromise. The committee are familiar with the terms of this provision.

The eighth section of the act to authorize the people of the Missouri Territory to form a constitution and State government, and for the admission of such State into the Union, on an equal footing with the original States, and to prohibit slavery in certain Territories, approved March 6, 1820, is as follows:

"SEC. 8. *And be it further enacted*, That in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of 36° 30' north latitude, not included within the limits of the State contemplated by this act, slavery or involuntary servitude, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted, shall be, and is hereby, forever prohibited: *Provided always*, That any person escaping into the same, from whom labor or service is lawfully claimed in any State or Territory of the United States, such fugitive may be lawfully claimed and conveyed to the person claiming his or her labor or service, as aforesaid."

The provision of the bill I am now discussing, disguise it as you may, is a proposition to repeal this Missouri compromise, which excludes slavery from all that territory north of the line of 36° 30', and which gives the owners of slaves the right to reclaim their fugitives from labor. I desire to adhere to this compromise for the reason before assigned—because it was a compromise passed after three years' discussion by the greatest minds of this country—men who had obtained a world-wide reputation, and whose names are dear to every patriotic heart—men who, if they were now living, would lay no ruthless hand upon the compromises of the Constitution—who would not countenance for a moment any attempt to disturb this sacred legislation, and thus introduce sectional agitation to destroy the peace and harmony of the Union.

Aspirations for the Presidency may incite men to this. I do not object to any man being an aspirant to that high office; but no man shall ever have my vote, so long as I have my reason, who would seek to destroy the sacred compromises of the Constitution. And I would hold it equally important to preserve the compromise of 1820, which, with all the surrounding circumstances at the time of its adoption, and the peace and harmony which ensued thereupon, and have been preserved thereby for thirty-four years, make it almost as sacred as the Constitution itself.

I believe, Mr. Chairman, that we have power over these Territories in regard to the subject of slavery. The Congress of the United States were of opinion, in 1820, that they had such power. They thought that they had that power in 1784, as referred to yesterday by the distinguished gentleman from Missouri, [Mr. BENTON.] And I here take occasion to say that, in one of the first speeches which I had the honor to make in this Hall—in 1848—I referred to the original ordinance, penned by Mr. Jefferson, in 1784—which I found in the office of the Secretary of State, and which I suppose is now on the files there. That ordinance was reported by a committee consisting of two gentlemen from the slaveholding States, and one from the free States, to wit: Mr. Jefferson, of Virginia, Mr. Chase, of Maryland, and Mr. Howell, of Rhode Island. And in that very ordinance, as I stated, the *Western Territory* extending from the 32d° of north latitude—the northern boundary of the Floridas—to the northern line of the United States, and extending then only to the Mississippi river, was called the *Western Territory*, and was divided in that ordinance, thus reported by these three gentlemen, into *nine States*, of most euphonious and beautiful names. I have a copy of the ordinance before me here, which has now become a part of the national history.

I will read to the committee a copy of the plan proposed by Messrs. Jefferson, Chase, and Howell, for the government of what was denominated the "Western Territory" in 1784:

On the 1st of March, 1784, a committee, consisting of Mr. Jefferson, of Virginia, Mr. Chase, of Maryland, and Mr. Howell, of Rhode Island, submitted to Congress the following plan for the temporary government of the Western Territory:

"The committee appointed to prepare a plan for the temporary government of the Western Territory, have agreed to the following resolutions:

"*Resolved*, That the territory ceded, or to be ceded by individual States to the United States, whensoever the same shall have been purchased of the Indian inhabitants and offered for sale by the United States, shall be formed into additional States, bounded in the following manner, as nearly as such cessions will admit; that is to say, northwardly and southwardly by parallels of latitude, so that each State shall comprehend from south to north, two degrees of latitude, beginning to count from the completion of thirty-one degrees north of the equator; but any territory northwardly of the forty-seventh degree shall make part of the State next below. And eastwardly and westwardly they shall be bounded, those on the Missi-sippi by that river on one side, and the meridian of the lowest point of the rapids of the Ohio on the other; and those adjoining on the east, by the same meridian on their western side, and on their eastern by the meridian of the western cape of the mouth of the Great Kanawha. And the territory eastward of this last meridian, between the Ohio, Lake Erie, and Pennsylvania, shall be one State.

"That the settlers within the territory so to be purchased and offered for sale shall, either on their own petition or on the order of Congress, receive authority from them, with appointments of time and place, for their free males of full age

to meet together for the purpose of establishing a temporary government to adopt the constitution and laws of any one of these States, so that such laws nevertheless shall be subject to alteration by their ordinary Legislature, and to erect, subject to a like alteration, counties or townships for the election of members for their Legislature.

"That such temporary government shall only continue in force in any State until it shall have acquired twenty thousand free inhabitants, when giving due proof thereof to Congress, they shall receive from them authority, with appointments of time and place, to call a convention of representatives to establish a permanent constitution and government for themselves: *Provided*, That both the temporary and permanent governments be established on these principles as their basis:

"1. That they shall forever remain a part of the United States of America.

"2. That in their persons, property, and territory, they shall be subject to the Government of the United States in Congress assembled, and to the Articles of Confederation in all those cases in which the original States shall be so subject.

"3. That they shall be subject to pay a part of the Federal debts, contracted or to be contracted, to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other States.

"4. That their respective governments shall be in republican forms, and shall admit no person to be a citizen who holds any hereditary title.

"5. That after the year 1800 of the Christian era, there shall be neither slavery nor involuntary servitude in any of the said States, otherwise than in punishment of crimes, whereof the party shall have been duly convicted to have been personally guilty.

"That whenever any of the said States shall have, of free inhabitants, as many as shall then be in any one of the least numerous of the thirteen original States, each State shall be admitted by its Delegates into the Congress of the United States on an equal footing with the said original States, after which the assent of two thirds of the United States, in Congress assembled, shall be requisite in all those cases wherein, by the Confederation, the assent of nine States is now required, provided the consent of nine States to such admission may be obtained according to the eleventh of the Articles of Confederation. Until such admission by their Delegates into Congress, any of the said States, after the establishment of their temporary government, shall have authority to keep a sitting member in Congress, with a right of debating, but not of voting.

"That the territory northward of the forty-fifth degree, that is to say, of the completion of forty-five degrees from the equator, and extending to the Lake of the Woods, shall be called *Sylvania*; that of the territory under the forty-fifth and forty-fourth degrees, that which lies westward of Lake Michigan, shall be called *Michigania*; and that which is eastward thereof, within the peninsula formed by the lakes and waters of Michigan, Huron, St. Clair, and Erie, shall be called *Cheronesus*, and shall include any part of the peninsula which may extend above the forty-fifth degree. Of the territory under the forty-third and forty-second degrees, that to the westward, through which the Assenisipi or Rock river runs, shall be called *Assenisipia*; and that to the eastward, in which are the fountains of the Muskingum, the two Miamies of the Ohio, the Wabash, the Illinois, the Miami of the Lake, and the Sandusky rivers, shall be called *Metropotamia*. Of the territory which lies under the forty-first and fortieth degrees, the western, through which the river Illinois runs, shall be called *Illinoia*; that next adjoining, to the eastward, *Saratoga*; and that between this last and Pennsylvania, and extending from the Ohio to Lake Erie, shall be called *Washington*. Of the territory which lies under the thirty-ninth and thirty-eighth degrees, to which shall be added so much of the point of land within the fork of the Ohio and Mississippi as lies under the thirty-seventh degree, that to the westward, within and adjacent to which are the confluences of the rivers Wabash, Shawanee, Tanisee, Ohio, Illinois, Mississippi, and Missouri, shall be called *Polypotamia*; and that to the eastward, further up the Ohio, otherwise called the Pelisipi, shall be called *Pelisipia*.

"That all the preceding articles shall be formed into a charter of compact, shall be duly executed by the President of the United States, in Congress assembled, under his hand and the seal of the United States, shall be promulgated, and shall stand as fundamental conditions between the thirteen original States and those newly described, unalterable but by the joint consent of the United States, in Congress assembled, and of the particular State within which such alteration is proposed to be made."

In that plan to organize that Western Territory, *Ohio* was called "*Washington*." There were also eight other States described by lines of latitude and limits. But in that whole country, from the thirty-second degree of north latitude, the proposition at that early day was, that, after 1800, no slavery or involuntary servitude should exist. I know that the article prohibiting slavery was stricken out subsequently, on motion of a gentleman from North Carolina, and the ordinance went into operation without it for about three years, and until 1787. But in 1787 the ordinance of that date was adopted, excluding slavery from the Northwestern Territory; and it was adopted on this great principle of compromise of the conflicting interests of the two great sections of the country. It was a wise act at that day to enter into that compromise.

It was said yesterday, Mr. Chairman, by the gentleman from Missouri, [Mr. BENTON,] and it was, in my opinion, rightly said, that the compromise of 1820 was but a continuation of the same national feeling, the same national principles that dictated the compromise extending the line to the territory which was then known as the Louisiana purchase. Sir, without that spirit of compromise, we never would have existed as a nation. And, on looking over the debates of the convention which framed the Constitution, the Madison papers especially, it will be seen how the sectional feeling of the men of that day gave way to accommodate and harmonize with the various sections of the Union, and to come upon the same general platform on which all the States of the Union might stand as a band of brothers, as a Union of States, under the wise provision of the glorious Constitution of the United States of America.

There were but few members of Congress in the Convention which framed the Constitution. WASHINGTON was there, and others, whose names I might cite; but *his* name was a tower of strength. Sherman was there, and Franklin was there. Men celebrated in political life in both the Carolinas and Virginia were there. There were some thirty-odd or forty in all, who gave us a form of government, under which we have grown up to be a mighty nation, which has become the pride of all American citizens, and the admiration of the whole world. And all, in my humble opinion, was based, Mr. Chairman, upon the spirit of compromise, concession, conciliation, and patriotism. If the various sections of the country had stood upon their own separate interests, we never should have had a Constitution. The same necessity for conciliation and compromise exists at this day. There is the same necessity for statesmen who look over the whole country, and who rejoice in the prosperity of all the States—who will not narrow their views to some little sectional point, to some district which they may happen to represent for a moment, but which they must cease to represent after a little while—who should look over the whole of this great country, and should endeavor to comprehend its interests vital to human liberty, and vital to your own liberty. The liberty secured by the Constitution is not licentiousness. It does not tolerate any of that licentiousness, or liberty without law, which some men occasionally advocate. But the liberty which is sustained by the American Constitution is the liberty which was given to us by our revolutionary fathers—republican liberty—liberty regulated by law; the greatest political blessing ever vouchsafed to man.

Nothing, Mr. Chairman, will disturb this ad-

rame of Government but such an effort
r being made; and hence I raise my feeble
inst it; and if it were the last time I should
the world, I would reject the men who
break down these compromises, for they
ereby lead the way, unwittingly perhaps,
struction of the glorious Union itself.
ngton, who was the President of the
on which gave us our Constitution, in
... Farewell Address, which I think it would be profitable to the people of the United States if we were to send it out annually to them with our congressional documents, said, in reference to this geographical discrimination and sectional prejudice, some of the wisest words which ever fell from human lips. I will read a clause. He said:

"It is of infinite moment that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

"For this you have every inducement of sympathy and interest. Citizens, by birth or choice, of a common country, that country has a right to concentrate your affections. The name of AMERICAN, which belongs to you, in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations."

* * * * * * * * * * *

"In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations; *northern* and *southern*, *Atlantic* and *western*; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection."

Now, sir, I do not wish to misrepresent any section of the country; and I am always pained when I see my friends introduce into their discussion sectional questions and inflammatory denunciations against any party. I believe that the great body of all the parties of the country is patriotic, intelligent, and attached to the Constitution of the United States. I endeavor to avoid denouncing any great party, or any large section of any party, as enemies of my country. It was with regret that I heard my friend from Georgia, [Mr. STEPHENS,] and the gentleman from North Carolina, [Mr. CLINGMAN,] allude, in the terms they did, to a paper, published in this District, (the National Intelligencer.) I do not believe it claims to be the organ of the Whig party, nor do I know that the Whig party, as a party, claim to have any particular organ. I regretted to hear my friend from North Carolina, [Mr. CLINGMAN,] in much the same strain, when referring to the northern section of the Whig party in this country, connecting it with the National Intelligencer of this city. I regret that he denounced that paper as being on the side of despotism, and against the side of liberty, in all the great contests of this country with foreign nations. I believe that there are as patriotic men in the North as in the South. I believe that in the South there are as patriotic men as in the North. I am proud to believe that my whole country is filled with sufficient intelligence and patriotism to guard and defend all their rights, and to maintain them whenever called upon to do so. It is my pride to believe that we have the most intelligent population, in proportion to numbers, upon the face of the globe, demonstrating thereby, to foreign Governments, the benefits of constitutional liberty. We have brave, intelligent, and patriotic men all over our country, with intelligent and patriotic women, adorned with heavenly beauty and angelic virtues. [Laughter and applause.] And, sir, I would not say a word to prejudice any section of any great party in this country, or to detract from the greatness, grandeur, or prosperity of our beloved and glorious Confederacy. Sir, we should stand up to the recommendations of the Father of our Country, and not denounce any great section. And I heard with regret the other day the gentleman from North Carolina [Mr. CLINGMAN] reproaching the National Intelligencer as taking the side of despotism against the side of liberty. I quote from the late speech of the gentleman from North Carolina, as published:

"The gentleman from Georgia, [Mr. STEPHENS,] I remember, commented upon the course of the National Intelligencer. Now, I think that journal is a faithful exponent of the party I allude to. Its regard for this Missouri compromise has been assumed only for the present occasion. I remember very well that during the struggle, up to 1850, that paper never came out for this Missouri line, although the South was battling for it for years; nor did it once assert our right to occupy the Territory in common with the people of the North, clear and indisputable as that right was. Its whole weight and influence were covertly but adroitly thrown against us, and on the anti-slavery side. I never attributed this course to any love of liberty on the part of the conductors of that paper. On the contrary, in every struggle between liberty and despotism, it takes the side of despotism; in every contest between the United States and any foreign country, it takes ground against the United States. It would be marvelous if our Government were, in fact, always wrong on every issue with a foreign nation. I presume, therefore, that it is because ours is the freest Government upon earth that this journal always is found taking sides against it, and for our enemies."

When I heard these remarks, I could but recollect the facts as recorded, that during the last war with Great Britain, the British came to this Capitol and burnt it; then they went to the President's house and burnt that, and then to the office of the National Intelligencer, and burnt that also. Was that because the National Intelligencer was on the side of despotism, and against the side of liberty? I say that although I do not consider that paper as the special organ of the Whig party—for I do not know that they have any such organ—that the National Intelligencer is one of the ablest advocates of Whig principles in our country; and the gentleman from Georgia, [Mr. STEPHENS,] with nearly every Whig member of this House, voted for Mr. Joseph Gales, one of its editors, for our public printer, at the commencement of our session. Its honored editors need no defense from me. They can always defend themselves when necessary. But I will say, that for general intelligence, great ability, patriotism, and decorum, the National Intelligencer might well be regarded as a model for other newspapers, and many of the statesmen of our country. It will take care of itself, and the Whig party will take care of itself.

But, sir, I believe this great question of the repeal of the Missouri compromise is a measure of the present Administration. And what are the objects proposed to be gained by that Administration? Sir, if you will recur to the records of the votes cast in the last presidential election, you will find that there were in all about three million votes cast, and that the present incumbent of the

presidential chair was elected by about two hundred thousand majority. With the exception of a few votes cast for a third candidate, all the other votes were cast for General Scott, showing that the majority of the Administration over the Whig party upon the popular vote, was comparatively very small. Now, sir, in my opinion, the introduction of this proposition, as an Administration measure, is one of the measures by which they attempt to break down the Whig party of the country. Do you, sir, does any man, believe, that if General Scott had been President, this attempt would have been made to break down the compromise of 1820? No, sir; no, sir. This power, I repeat, is exerted, come from what quarter it may, in my humble judgment, for the purpose in part, of breaking down the Whig party of the country; a party powerful still in numbers and talent, although it may be feebly represented, numerically, upon this floor, and able to wield a powerful influence upon the country.

Mr. Chairman, I trust we shall hear but little more upon this subject in this House. I have, with great reluctance, occupied the time of the committee upon this occasion, because, from the position I hold as a member of the committee which reported this bill to the House, upon which I have been placed by the Speaker, I felt it due to myself to explain my own position in reference to this measure.

Now, sir, I have desired to address gentlemen from the South as well as the North. If I have said anything in the least degree offensive to any gentleman, I regret it; for I have none but the kindest feelings towards every member upon this floor; but, sir, I reiterate, that the time will come when gentlemen who now advocate the repeal of the Missouri compromise will thank God that there were some men in every section of the Union patriotic enough to resist it.

Mr. SMITH, of Virginia. Will the gentleman allow me to ask him a question?

Mr. TAYLOR. I have but a few minutes left, but I will yield to the gentleman, asking him to be as brief as possible.

Mr. SMITH. The gentleman from Ohio spoke of the object in bringing forward this measure being to break down the Whig party. Now, I wanted to know——

Mr. TAYLOR. Well, sir, that is a matter in reference to which I leave every man at liberty to draw his own inference. Mr. Chairman, the object of the meeting of this Congress, in my humble opinion, was to legislate for the people, and not for the Government officials and servants only. We have a vast number of bills upon our Calendar. We have many bills which must be passed by Congress in order to carry on the operations of the Government, and which, in my opinion, ought always to be placed at the foot of the Calendar, so that the legislation necessary for the people must of necessity be acted upon first. But, sir, here we are, making no progress in the legitimate business of legislation, because this bill occupies our time. Sir, I wash my hands of all responsibility in reference to this delay. I have been in my seat constantly since the beginning of the session, except a few days when I was detained on account of sickness, anxious to promote the business of the country; but this question, sectional in its character, has diverted a large majority of the members of the House from the proper business on their hands, and paralyzed the business before Congress for the present session.

Now, Mr. Chairman, in this state of the case what ought we to do? It is said that in the multitude of counsellors there is wisdom. The honorable gentleman from Kentucky, [Mr. PRESTON.] in a speech upon this subject the other day, expressed the opinion that the bill for organizing Nebraska and Kansas would pass, and that the Missouri compromise would be repealed. Sir, from the observation I have made upon the subject, I believe it will never pass this House. I believe there is too much good sense among the members of the House to break down a compromise which has been in such beneficial operation for thirty-four years. If you take this step, I believe that you will take one which every man of this committee will regret. It will cultivate the agitation of this question until it will come home to the door of every man. I am not for breaking down the old land marks. "Remove not the old landmarks." That, I believe, is a scriptural declaration—one of the wisest ever made. If two brothers have a partition of property, and one uses up his portion or disposes of it, why should he claim—I will not say claim, for I do not believe that the southern gentlemen claim this—why should they expect, or even accept, the whole? There is too much honor in southern gentlemen. They would not do it in a private estate.

The bold men who have stood on this floor and demonstrated the interests of the country in adhering to these compromises, such men as my honored friend from Louisiana, [Mr. HUNT,] who in a bold and manly speech gave utterance to the sentiments of a patriot and statesman of the highest order, and my friend from Tennessee, [Mr. CULLOM,] and others, well deserve the thanks of the whole country. I am proud to take them by the hand, and acknowledge my indebtedness to them for their independence and patriotism. Sir, when I stood in this Hall and voted solitary and alone almost among my friends of the Northwest for the fugitive slave law, and when I was denounced therefor, I conceived at that time that I was carrying out an important principle of the Constitution of the United States, and my patriotic constituency generously sustained me. When I stood here and voted to settle the Texas boundary, and give that State $10,000,000; when I stood here and voted to admit New Mexico when she came up to be a *State*, free or slave, as she chose, and not to give her "squatter sovereignty," as now contended for—not that she might regulate her affairs as a Territory, but when she comes in as a State, she is to adopt slavery or not, as she chooses—I say, that when I stood here, and advocated and voted for these measures, I did it extending the right hand of fellowship as a national Whig to my southern friends, for whom, as well as those of the North, I hope I shall not cherish other than the kindest and most fraternal feelings.

Do not break down the compromises made by the law and Constitution. They are the very pillars on which rest all your legislation. If you break down one, you set a precedent to break down another. You cultivate disaffection. You stir up those who cannot exist except by sectional agitation. You strengthen the hands of those who are against your own country; because, in my humble judgment, Mr. Chairman, the Constitution of the United States can never be upheld unless by observing all its provisions, as well as the provisions of those wise compromises, which are almost equal in importance to the Constitution itself. Let us adhere to them; and when the citizens of this Republic come to this Capitol in after years—ten, twenty, thirty, forty, fifty, or even five hundred years hence—I trust that they will go down to Mount Vernon on a pilgrimage of patriotism, and that, while they have Washington's Farewell Address in their hands, and stand by his sacred tomb, they will thank God that they are the countrymen of Washington and his compatriots, who made them such a Government.

In a recent visit which I had occasion to make to Europe, on account of my health, I had the opportunity, as a citizen of the United States, to look at the political institutions which I saw there. Let others admire and uphold military despotisms, absolute or limited monarchies, as they may; and whilst I with truth say, I did not go there to underrate or overrate the artificial distinctions which I saw among men, I came back more and more rejoiced that I was born in a land of freedom, of free speech, with a free press, and free government; and where every man is, in some degree, a sovereign; where every man may enjoy his constitutional and absolute rights, of personal liberty, as secured by our Constitution, freedom of speech and security of person and of property, and none dare make him afraid. I rejoiced that I was a countryman of Washington. And though I highly esteem and gratefully remember the courtesies extended to me abroad, and am ready to extend the hand of friendship and hospitality to the foreigners who come to this land for pleasure, a residence, or legitimate business—I say that this country, under the Constitution, by adherence to the wise legislation of our revolutionary fathers; by standing by the compromises which they made and upheld, is destined to be the greatest, as it is the freest, the most prosperous, and happy on the face of the globe, and of which we may well be proud as citizens of the United States of America. I thank the committee for its attention.

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